

~~(b) [The judge of a county court at law has jurisdiction to enter emergency orders, including temporary restraining orders, temporary injunctions, writs of sequestration, writs of attachment, and any temporary orders arising under the Family Code, in the manner provided by this subsection, in a case filed or pending in the district court. The judge of a county court at law may only act under this subsection if the district judge is absent from the county and must act under rules and guidelines that the district judge prepares, signs, and files with the district clerk and the county clerk. An order entered under this subsection must contain a statement that the county court at law judge is issuing the order because the district judge is absent from the county.]~~

~~[(e)]~~ A county court at law has one term of court beginning on January 1.

~~(c) [(d)]~~ The judge of a county court at law must:

- (1) be a licensed and practicing member of the state bar; and
- (2) have been a bona fide resident in the county for at least six months before election or appointment.

~~(d) [(e)]~~ The judge of a county court at law shall be paid an annual salary in an amount that is not more than 90 percent of the salary paid by the state out of the general revenue fund to a district judge in the county. The salary shall be paid out of the county treasury on orders from the commissioners court. The judge is also entitled to reasonable travel expenses and necessary office expenses, including administrative and clerical assistance.

~~(e) [(f)]~~ A special judge of a county court at law with the same qualifications as the regular judge may be appointed in the manner provided by law for the appointment of a special county judge. A special judge is entitled to the same rate of compensation as the regular judge.

~~(f) [(g)]~~ The official court reporter of a county court at law is entitled to receive a salary set by the judge of the county court at law and paid out of the county treasury on order of the commissioners court. The salary may not exceed the amount paid the official court reporter of a district court in Wise County.

~~(g) The district clerk serves as clerk of a county court at law for family law cases and proceedings, and the county clerk serves as clerk for all other cases.~~

~~(h) Practice in a county court at law is that prescribed by law for county courts.~~

~~(i) The laws governing the drawing, selection, service, and pay of jurors for county courts apply to a county court at law. Jurors regularly impaneled for a week by the district court may, on request of the judge of a county court at law, be made available and shall serve for the week in a county court at law.~~

SECTION 2. This Act takes effect September 1, 1991.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed the Senate on April 25, 1991, by a viva-voce vote; passed the House on May 20, 1991, by a non-record vote.

Approved June 15, 1991.

Effective September 1, 1991.

CHAPTER 519

H.B. No. 84

AN ACT

relating to the authority of a general-law municipality to annex adjacent streets, highways, and other ways and to the validation of certain municipal annexations.

Be it enacted by the Legislature of the State of Texas:

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SECTION 1. Section 43.103, Local Government Code, is amended to read as follows:

Sec. 43.103. ANNEXATION OF STREETS, HIGHWAYS, AND OTHER WAYS BY GENERAL-LAW MUNICIPALITY ~~[WITH POPULATION OF 1,245 TO 1,260; 4,350 TO 4,374; OR 17,850 TO 17,900]~~. (a) ~~A~~ ~~[This section applies only to a]~~ general-law municipality with a population of 500 or more;

~~[(1) 1,245 to 1,260;~~

~~[(2) 4,350 to 4,374; or~~

~~[(3) 17,850 to 17,900.~~

~~[(b) The governing body of the municipality by ordinance]~~ may annex, by ordinance and without the consent of any person, the part of a street, highway, ~~[or]~~ alley, or other public or private way, including a railway line, spur, or roadbed, that is adjacent and runs parallel to the boundaries of the municipality.

~~(b) The requirements imposed by Section 43.054 regarding the width of the area to be annexed do not apply to an area annexed under this section. [Before the ordinance is adopted, publication must be made in the manner provided by Section 52.011.]~~

SECTION 2. (a) The governmental acts and proceedings relating to the annexation or attempted annexation of territory by a general-law municipality before the effective date of this Act may not be held invalid for the reason that the territory was not adjacent to the municipality because of its separation from the municipality by a street, highway, alley, or other public or private way, including any railway line, spur, or roadbed.

(b) The governmental acts and proceedings relating to the annexation or attempted annexation of a street, highway, alley, or other public or private way, including any railway line, spur, or roadbed, by a general-law municipality before the effective date of this Act may not be held invalid for the reason that the municipality did not follow the proper statutory annexation procedure.

(c) The governmental acts and proceedings described by Subsections (a) and (b) of this section are validated as of the dates they occurred.

(d) This section does not apply to any matter that on the effective date of this Act:

(1) is involved in litigation if the litigation ultimately results in the matter being held invalid by a final judgment of a court of competent jurisdiction; or

(2) has been held invalid by a final judgment of a court of competent jurisdiction.

SECTION 3. (a) Section 43.104, Local Government Code, is repealed.

(b) The repeal by this Act of Section 43.104, Local Government Code, does not affect an annexation begun under that section and pending on the effective date of this Act. The annexation is governed by the law in effect at the time the annexation was instituted, and the former law is continued in effect for this purpose.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on May 14, 1991: Yeas 144, Nays 0, 1 present, not voting; passed by the Senate on May 25, 1991: Yeas 31, Nays 0.

Approved June 15, 1991.

Effective June 15, 1991.

CHAPTER 520

H.B. No. 333

AN ACT

relating to the deposit and use of certain funds received by the Texas State Board of Pharmacy.

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